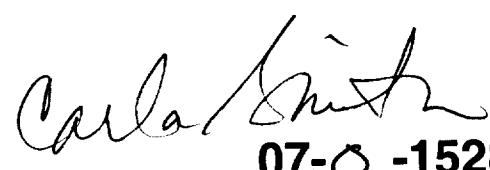



AN ORDINANCE BY
COMMUNITY DEVELOPMENT AND HUMAN RESOURCES COMMITTEE


07-0 -1528

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO APPROVE THE EXPANSION OF THE PREVIOUSLY APPROVED EASTSIDE TAX ALLOCATION DISTRICT MEMORIAL DRIVE GREENWAY CORRIDOR PROJECT AREA, PURSUANT TO ORDINANCE 05-O-2259 ENACTED BY THE CITY COUNCIL OF THE CITY ON NOVEMBER 21, 2005 AND SIGNED BY THE MAYOR ON NOVEMBER 22, 2005, IN ORDER TO INCLUDE BLOCK 7, WHICH IS BOUNDED BY OAKLAND AVENUE, BIGGERS AVENUE, MLK, JR. DRIVE, AND GEORGE STREET; TO APPROVE CONFORMING CHANGES TO THE INTERGOVERNMENTAL AGREEMENT RELATING THERETO; TO AUTHORIZE ADDITIONAL FUNDING FOR THE PROJECT TO ACQUIRE BLOCK 7, IN THE AMOUNT OF FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000.00), FROM CITYWIDE GREENWAY TRAILS PROJECT QUALITY OF LIFE BOND FUND, ACCOUNT, AND CENTER NUMBER: 1C50 (2004 QUALITY OF LIFE BOND FUND) 571001 (LAND) Y63F063592BH (GREENWAY TRAIL PROJECTS); IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000.00) FROM FUND, ACCOUNT, AND CENTER NUMBER 1C28 (GENERAL GOVERNMENT CAPITAL OUTLAY FUND) 571001 (LAND) N12P06129988 (GREENSPACE PROGRAM, PARK SOUTH); TO ACCEPT A DONATION FROM THE OAKLAND HISTORICAL FOUNDATION TO FUND THE PROJECT TO ACQUIRE BLOCK 7, IN AN AMOUNT NOT EXCEED NINE HUNDRED THOUSAND DOLLARS (\$900,000.00), FOR TOTAL ADDITIONAL FUNDING IN AN AMOUNT NOT TO EXCEED ONE MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$1,800,000.00); AND AMENDING THE 2007 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGET DEPARTMENT OF PARKS AND RECREATION BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF \$450,000 AND FOR OTHER PURPOSES.

WHEREAS, in order to encourage the redevelopment of the eastern downtown area of the City of Atlanta, Georgia, the City Council of the City of Atlanta, Georgia (the "City"), by Ordinance 03-O-1846, adopted on December 2, 2003 and signed by the Mayor on December 9, 2003, as amended by the City Council of the City by Ordinance 04-O-0231, adopted on February 16, 2004 and approved by the Mayor on February 24, 2004 (i) adopted the Eastside Redevelopment Plan (the "Redevelopment Plan") pursuant to the authority granted to the City under the Redevelopment Powers Law, O.C.G.A. § 36-44-1, et seq. (the "Act"), and (ii) created the City of Atlanta Tax Allocation District Number Five – Eastside (the "Eastside TAD");

WHEREAS, the City has previously authorized the undertaking and funding of certain parks and greenspace projects, including, without limitation the Memorial Drive Greenway Project, within the TAD pursuant to Ordinance 05-O-2259, adopted on

November 21, 2005 and signed by the Mayor on November 22, 2005 (the "Greenway Acquisition Ordinance") (See attached as Exhibit "A"); and

WHEREAS, the Greenway Acquisition Ordinance approved the acquisition of a six block project area bounded by Memorial Drive on the south, MLK Drive on the north, Oakland Cemetery on the east, and Connally Street on the west; and

WHEREAS, the City has appointed the Atlanta Development Authority ("ADA") as the City's redevelopment agency pursuant to the Act for the purpose of implementing the redevelopment initiatives set forth in the Redevelopment Plan, and for other purposes, and said Redevelopment Plan contemplates, among other things, the acquisition and development of parks, greenspace and other similar public improvements;

WHEREAS, the ADA has recommended expanding the Eastside TAD Memorial Drive Greenway Corridor Project Area ("Project") to include Block 7, which is bounded by Oakland Avenue, Biggers Avenue, MLK, Jr. Drive, and George Street, Parcel Identification Numbers 14-0045-0008-035 through 14-0045-0008-046 (See attached as Exhibit "B"); and

WHEREAS, the total additional funding for expanding the Project is an amount not to exceed one million eight hundred thousand dollars (\$1,800,000.00) which shall include the purchase price, due diligence, acquisition costs, demolition and limited development; and

WHEREAS, the City has identified additional funding to expand the Project to include Block 7 in the amount of four hundred fifty thousand dollars (\$450,000.00) from the Citywide Greenway Trails Project Quality of Life Bond Fund, Account, and Center Number: 1C50 (2004 Quality of Life Bond) 571001 (Land) Y63F063592BH (Greenway Trails Projects); an amount not to exceed four hundred fifty thousand dollars (\$450,000.00) from Fund, Account, And Center Number 1C28 (General Government Capital Outlay Fund) 571001 (Land) N12P06129988 (Greenspace Program, Park South); and a donation from the Historic Oakland Foundation in an amount not to exceed nine hundred thousand dollars (\$900,000.00), for total additional funding in an amount not to exceed one million eight hundred thousand dollars (\$1,800,000.00); and

WHEREAS, the City Council of the City, after full review and consideration of the information available to it, has determined that it is in the best interest of the City to authorize the expansion of the Project to include the aforesaid Block 7, and to authorize the execution of an amendment to that certain Intergovernmental Agreement between the City and the ADA relating to the Project reflecting the said expansion.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

SECTION 1: That the Mayor or her designee, the Atlanta Development Authority ("ADA"), on behalf of the City of Atlanta, is authorized to expand the Eastside Tax Allocation District Memorial Corridor Project Area to include Block 7 described in

Exhibit "B", and to fund the purchase price, due diligence, acquisition costs, demolition and limited development relating to such expansion activities, in the amount of four hundred fifty thousand dollars (\$450,000.00) from the Citywide Greenway Trails Project Quality of Life Bond Fund, Account, and Center Number: 1C50 (2004 Quality of Life Bond Fund) 571001 (Land) Y63F063592BH (Greenway Trail Projects); in an amount not to exceed four hundred fifty thousand dollars (\$450,000.00) from Fund, Account, and Center Number: 1C28 (General Government Capital Outlay Fund) 571001 (Land) N12P06129988 (Greenspace Program, Park South); and a donation from the Historic Oakland Foundation in an amount not to exceed nine hundred thousand dollars (\$900,000.00), for total additional funding in an amount not to exceed one million eight hundred thousand dollars (\$1,800,000.00).

SECTION 2: The Mayor is hereby authorized to execute and deliver an amendment to the Intergovernmental Agreement reflecting the authorization to the extent necessary or appropriate to memorialize the expansion of the Memorial Drive Greenway Project as contemplated herein.

SECTION 3: That any and all actions already taken or to be taken by the officers, directors, agents and staff of the City or ADA which are consistent with this Ordinance are hereby authorized, ratified and approved, as applicable, in all respects.

SECTION 4: That the provisions of any and all resolutions or ordinances, as and to the extent in conflict with this Ordinance, be and the same are hereby modified, amended, replaced or waived, as the case may be, but only to the extent of the conflict. For purposes of clarification and without intending to limit the generality of the foregoing whatsoever, it is understood and agreed that except as expressly set forth herein or contemplated hereby, all remaining provisions of the Greenway Acquisition Ordinance shall survive and remain in full force and effect.

SECTION 5: That the 2007 General Government Capital Outlay Fund Budget Department of Parks and Recreation is hereby amended as follows:

TRANSFER FROM APPROPRIATIONS

1C28	GENERAL GOVERNMENT CAPITAL OUTLAY FUND
792001	Reserve Designated
T31X04109991	Admin. Development Recoupment Fees <u>\$450,000</u>

TRANSFER TO APPROPRIATIONS

1C28	GENERAL GOVERNMENT CAPITAL OUTLAY FUND
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771001	LAND	
N12P06129988	Greenspace Program Parks South	<u>\$450,000</u>

INCREASE ANTICIPATIONS

1C28	General Government Capital Outlay Fund	
697202	DIF-Parks South	
N12P06129988	Greenspace Program, Parks South	<u>\$450,000</u>

INCREASE APPROPRIATIONS

1C28	General Government Capital Outlay Fund	
771001	Land	
N12P06129988	Greenspace Program, Parks South	<u>\$450,000</u>

SECTION 6: That this ordinance shall be effective immediately upon its enactment.